

STATE OF ALABAMA )  
COUNTY OF SHELBY )

This instrument was prepared by  
Edward P. Meyerson  
2125 Morris Avenue  
Birmingham, AL 35203

**VERIFIED CLAIM OF LIEN**

Sherman International Corp., a corporation qualified under the laws of the State of Alabama, by and through Jeff Gilmer, its Corporate Credit Manager, who has personal knowledge of the facts herein set forth, files this statement in writing, verified by his oath. Sherman International Corp., claims a lien upon the Community Bio Resources Building located at 2197 Parkway Lake Drive and situated in Shelby County, Alabama, more particularly described as follows, to-wit:

**SEE ATTACHED EXHIBIT A**

This lien is claimed, separately and severally, as to the land, buildings and improvements thereon to the extent of the entire lot or parcel which is contained within a city or town. If said land is not within a city or town, this lien is claimed, separately and severally, as to the buildings and improvements located on the above-described real property, plus one (1) acre of land surrounding and contiguous thereto.

This lien is claimed on the above mentioned land, buildings and improvements to secure the indebtedness owed by Riverchase Office Partners in the amount of TWENTY-FIVE THOUSAND FIVE HUNDRED THIRTY-NINE AND 53/100 DOLLARS (\$25,539.53, said sum being due and owing after all credits have been given from the 8th day of October, 1996, and which sum, plus attorney fees and interest thereon, is presently due and unpaid.

Inst # 1997-04138

02/07/1997-04138  
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SHELBY COUNTY JUDGE OF PROBATE  
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This sum of money is due and owing for materials and labor supplied by Sherman International Corp., said materials and labor being used for the construction of the buildings and improvements on the above-described real property.

The owner or proprietor of the above-described real property is: Riverchase Office Partners.

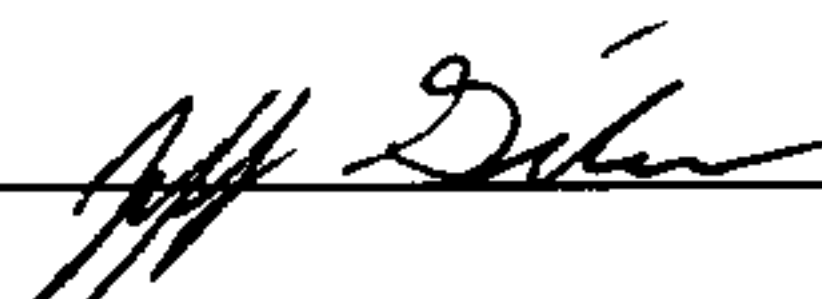
**SHERMAN INTERNATIONAL CORP.**

By:   
Its: Corporate Credit Manager

**STATE OF ALABAMA )**

**COUNTY OF JEFFERSON )**

Before me, the undersigned, a Notary Public, in and for the County of Jefferson, State of Alabama, personally appeared Jeff Gilmer, and acknowledged before me on this day that, being informed of the contents of the foregoing he, as Corporate Credit Manager for Sherman International Corp., and with full authority, executed the same voluntarily for and as an act of said corporation.



Sworn to and Subscribed before me on this 6<sup>th</sup> day of February, 1997.

  
Notary Public

My Commission Expires: 1/22/2000

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## THIS DOCUMENT PREPARED BY:

Marilynn N. Young  
 THE HARBERT-EQUITABLE JOINT VENTURE  
 Post Office Box 1297  
 Birmingham, Alabama 35201  
 (205) 988-4730

STATE OF ALABAMA )

COUNTY OF SHELBY )

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of TWO HUNDRED NINETY FOUR THOUSAND TWENTY SEVEN AND 75/100 DOLLARS (\$294,027.75), in hand paid by Riverchase Wellness Associates, a general partnership, (hereinafter referred to as "GRANTEE"), to the undersigned, THE HARBERT-EQUITABLE JOINT VENTURE, under Joint Venture Agreement dated January 30, 1974, composed of Harbert International, Inc., a corporation, and The Equitable Life Assurance Society of the United States, a corporation (hereinafter referred to as "GRANTOR"), the receipt of which is hereby acknowledged, the said GRANTOR does by these presents grant, bargain, sell and convey unto the said GRANTEE the following described real estate situated in Shelby County, Alabama:

Part of the South Quarter of Section 19, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

From the Southeast corner of said Section 19, run in a Westerly direction along the South line of said section for a distance of 3,471.23 feet; thence turn an angle to the right of 90° and run in a Northerly direction for a distance of 364.58 feet to an existing iron pin being a corner of the Baptist Medical Center Property; thence turn an angle to the right of 77°37'30" and run in an Easterly direction along the South line of said Baptist Medical Center Property for a distance of 1,092.06 feet to an existing iron pin being on the West right-of-way line of Riverchase Parkway East and being the point of beginning; thence turn an angle to the right of 180° and run in a Westerly direction for a distance of 300.38 feet to an existing iron pin; thence turn an angle to the left of 95°03'02" and run in a Southerly direction for a distance of 436.17 feet to an existing iron pin being on the Northwest right-of-way line of Parkway Lake Drive; thence turn an angle to the left (108°58'25" to chord line) and run along the arc of the curved right-of-way line of Parkway Lake Drive (said curve being concave in a Northwesterly direction and having a central angle of 30°30' and a radius of 370.00 feet) for a distance of

The purchase price of the above described property was paid by a purchase money mortgage closed simultaneously.

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361.43 feet to the end of said curved right-of-way line; thence run in a Northeasterly direction along a line tangent to the end of said curve and being the Northwest right-of-way line of Parkway Lake Drive for a distance of 133.99 feet to a point of curve; said curve being concave in a westerly direction and having a radius of 23.00 feet and a central angle of 90°; thence turn an angle to the left and run along the arc of said curve for a distance of 39.27 feet to the end of said curve and being on the West right-of-way line of Riverchase Parkway East; thence run in a Northwesterly direction along a line tangent to the end of said curve and being the West right-of-way line of Riverchase Parkway East for a distance of 31.17 feet to another point of curve; said curve being concave in a Northeasterly direction and having a central angle of 17°23'42" and a measured radius of 646.23 feet; thence turn an angle to the right and run in a Northwesterly direction along the West right-of-way line of said Riverchase Parkway East for a distance of 196.20 feet, more or less, to the point of beginning, containing 130,679 square feet or 3.00 acres, more or less.

Such land is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1986.
2. Mineral and mining rights not owned by GRANTOR.
3. Any applicable zoning ordinances.
4. Said property conveyed by this instrument is hereby subjected to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Business), recorded in Miscellaneous Book 13, beginning at page 50, as amended by Amendment No. 1 recorded in Miscellaneous Book 13, beginning at page 189, as further amended by Amendment No. 2 recorded in Miscellaneous Book 19, beginning at page 633, in the office of the Judge of Probate of Shelby County, Alabama.
5. Said property conveyed by this instrument is hereby restricted to use as an office development/or medical facility (with a density not to exceed 10,000 square feet per acre), in accordance with the Riverchase Architectural Committee Development Criteria for the Planned Office Development dated April 11, 1980, unless a change in use is authorized pursuant to the Riverchase Business Covenants, as described in paragraph 5 above, said restriction to be effective for the same period of time as the Riverchase Business Covenants.
6. Said property conveyed by this instrument is hereby subjected to that certain land use agreement between The Harbert-Equitable Joint Venture and Blue Cross and Blue Shield of Alabama, recorded in Miscellaneous Book 19, beginning at page 690, in the office of the Judge of Probate of Shelby County, Alabama, as amended per agreement dated September 13, 1981, as recorded in Real Book 16, beginning at page 64, in the Office of the Judge of Probate of Shelby County, Alabama.
7. Utility easements and sanitary sewer easements as shown on survey of Laurence D. Weygand, dated November 13, 1983, a copy of said survey being attached hereto as Exhibit "A". Any one of these easements agree to restore the property to the condition existing immediately prior to the easements being used.

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